Deborah Deitsch-Perez Michael P. Aigen STINSON LLP 3102 Oak Lawn Avenue, Suite 777 Dallas, Texas 75219-4259

Telephone: (214) 560-2201 Facsimile: (214) 560-2203

Counsel for Defendant Highland Capital Management Fund Advisors, L.P.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

In re	§	
	§	Case No. 19-34054-sgj11
HIGHLAND CAPITAL MANAGEMENT,	§	
L.P.,	§	Chapter 11
	§	
Debtor.	§	
	§	
HIGHLAND CAPITAL MANAGEMENT,	§	
L.P.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adversary No. 21-03082
	§	·
HIGHLAND CAPITAL MANAGEMENT	§	
FUND ADVISORS, L.P.	§	
	§	
Defendant.	§	

<u>DEFENDANT'S OPPOSITION TO PLAINTIFF'S</u> <u>MOTION FOR SUMMARY JUDGMENT</u>

COMES NOW, Defendant Highland Capital Management Fund Advisors, L.P., Defendant in the above-captioned and related adversary proceeding, and hereby submits this *Opposition to Highland Capital Management, L.P.'s Motion for Summary Judgment* (the "Opposition"). Defendant fully incorporates by reference its brief in response filed contemporaneously with this Opposition and would show the Court as follows:

RELIEF REQUESTED

- 1. By this Opposition, Defendant respectfully requests that the Court enter an order denying Plaintiff's Motion for Summary Judgment.
- 2. Pursuant to Rule 7056(d) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas and Rule 56.4(b) of the Local Rules of the Northern District of Texas, a separate memorandum of law is being filed contemporaneously with this Opposition that will state why Defendant opposes the Motion for Summary Judgment and is incorporated by reference.

PRAYER

WHEREFORE, Defendant respectfully requests that the Court deny the relief requested in Plaintiff's Motion for Summary Judgment and grant Defendant such further and other relief to which it is entitled.

Dated: July 1, 2022 Respectfully submitted,

STINSON LLP

/s/ Deborah Deitsch-Perez

Deborah Deitsch-Perez Texas State Bar No. 24036072 Michael P. Aigen Texas State Bar No. 24012196 3102 Oak Lawn Avenue, Suite 777

Dallas, Texas 75219-4259 Telephone: (214) 560-2201

Email: deborah.deitschperez@stinson.com

Email: michael.aigen@stinson.com

ATTORNEYS FOR DEFENDANT HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on July 1, 2022, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on counsel for Plaintiff Highland Capital Management, L.P. and on all other parties requesting or consenting to such service in this case.

/s/Deborah Deitsch-Perez

Deborah Deitsch-Perez